



PLANNING DIRECTOR'S HEARING AGENDA

WEDNESDAY, DECEMBER 20, 2006

9:00 a.m.
City Council Chambers
City Hall

200 East Santa Clara Street
San Jose, California 95113-1905

Hearing Officers

Susan Walton, Principal Planner

Mike Enderby, Acting Principal Planner

**Joseph Horwedel, Director
Planning, Building, and Code Enforcement**

NOTE

To arrange an accommodation under the Americans with Disabilities Act to participate in this public meeting, we ask that you call (408) 535-7800 (VOICE), 294-9337 (TTY) at least two days, (48 hours) before the meeting. If you requested such an accommodation and have not already identified yourself to the technician seated at the staff table, please do so now. If you did not call in advance and do now need assistance, please see the technician.

NOTICE TO THE PUBLIC

Good morning, this is the Planning Director's Hearing of **December 20, 2006**. My name is _____ and I am the Hearing Officer for today's agenda. On behalf of the Planning Director, I would like to welcome you to this Public Hearing. Please remember to turn off all cell phones and pagers. A copy of the agenda is available on the table by the door for your convenience. A validation machine is available up the stairs at the rear of these chambers for parking tickets for the garage underneath City Hall.

The procedure for this hearing is as follows:

- Hearing Officer will identify the project as described on the agenda
- Staff report
- After the staff report, applicant and/or representative will have up to 5 minutes to speak and should make themselves known as their item comes up by approaching the microphone and identifying themselves and stating their home address, or just wave from the audience if you do not wish to speak
- Public testimony of up to 2 minutes, either for or against the project. Please state name and home address for the record
- After the public testimony, the applicant may make closing remarks of up to 5 minutes
- The Hearing Officer may ask questions of the speaker
- The public hearing will then be closed and the Hearing Officer will take action on the item. The Hearing Officer may request staff to respond to the public testimony, ask staff questions, and discuss the item

If you challenge these land use decisions in court, you may be limited to raising only those issues you or someone else raised at this public hearing or in written correspondence delivered to the City at, or prior to, the public hearing.

The Planning Director's action on these agenda items is final when the permit is signed and mailed, unless the permit is appealed. The Planning Director's actions are appealable in accordance with the requirements of Title 20 of the Municipal Zoning Code.

Note: If you have any agenda changes, please contact Gina Robles (gina.robles@sanjoseca.gov).

AGENDA

ORDER OF BUSINESS

1. DEFERRALS

Any item scheduled for hearing this morning for which deferral is being requested will be taken out of order, to be heard first on the matter of deferral. A list of staff recommended deferrals is available on the table. I will identify the items to be deferred and then ask for comments from the audience. If you want to change any of the deferral dates recommended or speak to the question of deferring these or any other items, you should say so at this time. I will now open the public hearing. The following items are proposed to be deferred.

- a. **TR06-203. Tree Removal Permit** to remove one Pecan tree approximately 100 inches in circumference from the rear yard of an existing single-family residence on a 0.15 acre site in the R-M Multiple Residence Zoning District, located at/on the 274 North 6th Street (274 N 6TH ST) (Lane John R And Hadie H Trustee, Owner). Council District 3. CEQA: Exempt. **Defer to 1/17/06.**

The matter of deferrals is now closed.

2. CONSENT CALENDAR

NOTICE TO THE PUBLIC

The consent calendar items are considered to be routine and will be adopted by one motion. There will be no separate discussion of these items unless a request is made by the Director of Planning, staff, or the public to have an item removed from the consent calendar and considered separately. If anyone in the audience wishes to speak on one of these items, please come to the podium at this time.

- a. **PD06-029. Planned Development Permit** request to allow 110 single-family attached residential units in a podium building on a 10.66 gross acre site in the A(PD) Planned Development Zoning District, located on the northeast corner of Baton Rouge Drive and Cedarville Lane (781 N CAPITOL AV) (Blossom Valley Investors, Owner). Council District 4. SNI: None. CEQA: Mitigated Negative Declaration. **Deferred from 12/13/06.**
- b. **PD06-028. Planned Development Permit** to allow six existing multi-family attached residential units on a 0.17 gross acre site in the R-M Multiple Residence Zoning District, located on the east side of S. 10th Street, approximately 120 feet south of E. San Salvador Street (422 S 10th Street) (Amaya Jose And Patricia Jose & Patricia Amaya, Owner). Council District 3. SNI: University. CEQA: Exempt.
- c. **T06-099. Tentative Map Permit** to reconfigure two parcels into one lot for four residential condominium units on a 0.29 gross acre site in the R-M Multiple Residence Zoning District, located on the west side of N. 2nd Street, approximately 350 feet northerly of Jackson Street (639 N 2ND ST) (Nguyen Sophie, Owner). Council District 3. SNI: None. CEQA: Exempt.

- d. **TR06-111. Tree Removal Permit** to allow removal of one ordinance sized Pine, approximately 140 inches in circumference, on a 0.13 gross acre single-family residential site in the R-1-8 (PD) Planned Development Zoning District, located at 116 Biddleford Court (Jennifer Tran, Owner). Council District 2. CEQA: Exempt.
- e. **TR06-189. Tree Removal Permit** to remove two Canary Island Pine trees 56 and 57 inches in circumference, three Podocarpus 57, 58, and 62 inches in circumference, and one Tree of Heaven with multiple trunks, the sum of the circumferences of which exceeds 56 inches in the LI Light Industrial Zoning District, located at/on the southwest corner of North 1st Street and Bassett Street (360 N 1ST ST) (Sc Co Board Of Law Library Trustees, Owner). Council District 3. CEQA: Exempt.
- f. The projects being considered are located on the west side of San Felipe Road approximately 300 feet south of Yerba Buena Road (4969 San Felipe Road), in the A(PD) Planned Development, A Agricultural Zoning District (Dale Nakashima, Owner). Council District 8. SNI: None. CEQA: Use of Mitigated Negative Declaration
 - 1. **PD05-088. Planned Development Permit** to allow the construction of 25 single-family detached residences on a 14.8 gross acre site.
 - 2. **PT05-109. Planned Development Tentative Map Permit** to subdivide three parcels into approximately 25 lots for single-family detached residential uses on a 14.8 gross acre site.
- g. **T06-071. Vesting Tentative Map** to subdivide one parcel into two lots for single-family detached residential uses on a 0.46 gross acre site in the R-1-8 Single-Family Residence Zoning District, located on the east side of Kirk Avenue, approximately 110 feet southerly of Summit Avenue (182 KIRK AV) (Choismith Associates Inc. Jim Dean Smith, Owner). Council District 5. SNI: None. CEQA: Exempt.
- h. **V06-011. Development Variance Permit** to allow construction of a detached single family residence on an irregularly shaped lot encroaching on otherwise required setbacks in the R-1-8 Single-Family Residence Zoning District, located on the Southeast corner of San Antonio St/US-101 overcrossing and S. 31st St (241 SAN ANTONIO CT) (Sam Hernandez, Mr Ismet Jahovic, Owner). Council District 5. SNI: Gateway East. CEQA: Exempt.
- i. **TR06-193. Tree Removal Permit** for the removal of two live Poplar trees measuring 102 inches and 56 inches in circumference located in rear yard of a 0.13 gross acre site in the A(PD) Planned Development Zoning District, located at 1273 Ballard Court (Maureen E Fitzgerald, Owner). Council District 4. CEQA: Exempt
- j. **TR06-200. Tree Removal Permit** for one Cedar tree, 69 inches in circumference, on a 0.14 gross acre site in the R-1-8 Single-Family Residence Zoning District, located at 6567 Bison Court (Daniel and Ellen Rosbrugh, Owners). Council District 2. CEQA: Exempt.
- k. **PDA86-075-01. Tree Removal Permit** for the removal of 4 ordinance sized Willow Trees to be replaced with (5) 36" Box Jacaranda Trees in an A(PD) Planned Development Zoning District, located at/on the southwest corner of Townsend Park Circle and Araujo Street (Parkview Green HOA, Owner). Council District 4. CEQA: Exempt.

The consent calendar is now closed.

3. PUBLIC HEARING

- a. **SP06-070 & V06-006. (file previously referred as CP05-066). Special Use Permit** request to allow an existing slimline monopole for wireless communication uses and Variance request to allow setback reduction on a 0.12 gross acre site in the CG General Commercial Zoning District, located on the northeast corner Monroe Street and Forest Avenue (Stevens Creek Associates, Owner). Council District 6. SNI: None. CEQA: Exempt. **Deferred from 12-06-06.**
- b. **TR06-214. Tree removal permit** to authorize the previous removal of one pine tree measuring 91 inches in circumference on a 0.13 gross acre site in the R-1-8 Single-Family Residence Zoning District, located at 395 Perrymont Avenue (Perez German, Owner). Council District 7. CEQA: Exempt.
- c. **H06-037. Site Development Permit** to complete improvements to an existing retail building and to construct a new 5,100 square foot building for retail uses on a 1.20 gross acre site in the CP Pedestrian Commercial Zoning District, located on the northeast corner of West Alma Avenue and Minnesota Avenue (640 West Alma Avenue & 583 West Alma Avenue) (555 W ALMA AV) (Daylight Produce Co. Llc Bob Vlahopoulos, Owner). Council District 6. SNI: None. CEQA: Mitigated Negative Declaration.
- d. **PD06-055. Planned Development Permit** to allow incidental auto service and detail uses in a new approximately 8,000 square foot building, in addition to the existing commercial, automobile dealership, and parking uses currently permitted on a 1.46 gross acre site in the A(PD) Planned Development Zoning District, located on the southwest corner of Ardis Avenue and Stevens Creek Boulevard (3370 STEVENS CREEK BL) (Homara Hooshang And Manizheh Trustee, Owner). Council District 1. SNI: None. CEQA: Exempt.
- e. **SP06-041. Special Use Permit** to convert an existing duplex with attached garage to commercial use, construct a 245 square foot addition, replace garage doors with new entrance door, and allow site improvements on a 0.47 gross acre site in the CN Commercial Neighborhood Zoning District, located on the northwest corner of Hemlock Avenue and Clover Avenue (2865 HEMLOCK AV) (Wu Windsor And Su Jeny, Owner/Developer). Council District 6. SNI: None. CEQA: Exempt.
- f. **PDA93-018-01. Planned Development Permit Amendment** for removal of 38 Coast Live Oak trees, 57 to 278 inches in circumference, and six Blue Oak trees, 57 to 96 inches in circumference from a previously approved landfill cell on a 411 gross acre site in the A(PD) Planned Development Zoning District, located at/on the east side of Guadalupe Mines Road approximately 1,800 feet south of Puerto Vallarta Drive (15999 GUADALUPE MINES RD) (Guadalupe Rubbish Disposal Inc, Owner). Council District 10. CEQA: Guadalupe Property SEIR and Addendum thereto.

This concludes the Planning Director's Hearing for December 20, 2006. Thank you.

PLANNING DIRECTOR'S AGENDA ON THE WEB:

<http://www.sanjoseca.gov/planning/hearings/default.asp>

PUBLIC INFORMATION COUNTER

(408) 535-7800 CITY OF SAN JOSE